Diarise -

App. F IX-4

1927-8

File No. 111-27

Previous References (Nil)

Serial Nos. 3, 0, 7, 12, & 13

Later References

General and Revenue Secretariat.

Serial Nos. Five

Part B for February 1928

SUBJECT

Recommending the removal of Mr Avla Honnappa Setty from the office of Vice-President Kadur Municipality

13 L 4897-8 dt 24-2-1928

Intimating that Mr Honnappa Setty shall be deemed as having vacated his office.

To 1 The Commissioner Kadur

2 The Comptroller Bangalore

15-4-28

General and Revenue Secretariat. | File No. 111 of 192?

Serial No. 3

A 3 327: Letter dated from the Collector Kaira. Recommending the removal of Mr Amar Hormasjee Setty from the office of Vice Pres. Nadiad Mun. Cl.

Under Rule 23 Sub Sect. 3 of the Mun Act a resolution for the removal of a Vice Pres. has to be passed by 3/4th of the whole number of Councillors of the Mun. at a Spl. meeting of the Cl. In the present case the proportion has not been secured.

2) Kind reference is invited to Mr Hormasjee Setty's letter dated 8/6/27 where he complains that his recommendation for the removal of a Sanitary Inspector for his transfer have not been heeded to.

If after a Spl. report as to how far this allegation is based on facts it may be ascertained called for.

Tab 2/9 K.C. For personal Reports above will be called for and the fact that the resolution was not passed by 3/4 of the members of the Mun Cl will be reported next Monday Court

Mo 14/9

2175/1419

Asst Secretary

Notes—Contn sheet

WD 6884—6PB—60,000—6.5.27

General and Revenue Secretariat — File No [illegible] of 192[illegible]

Serial No.	
	Subs. work-draft
	Issued
	7/9
6	Issued Dckadur Legislg 6.10.27 A 3-329-27 3/14/10/27 from the DC Kadur Requests return of records — Draft returning records Subd
	Issued
	21/10
9	1427 3/4/14/27 DC Kadur Returns records.
12	A 3-329-27 3 22/14/27 from the Dckadur. Reports that Mr Honnappa Setty has absented himself for a period exceeding 3 months from the Mul Ct, that the Mul Ct have resolved to remove the gentleman on the ground of incapacity to discharge his duties & that therefore orders may be passed permitting the holding of fresh election for selecting a Competent person from among the members as vacant

Issued 7/11

NOTE—Contin sheet.

WD 6781—GPD—60,000—24-5-27

General and Revenue Secretariat — File No 111 of 1927

Serial No.

Submitted with draft sanctioning the DC's proposals the Vice President Ceases under Sec 23 (6) of the Mh Regn to hold office when he absents himself for a period of more than a month in "such manner as to be unable to perform" his duties.

Further from the report of the DC it is clear that the formality required under Sec 23(6) has been complied with in the case & that Govt can therefore remove the Vice President from his office.

The DC appears to have misread Sec 23(4) + 23(6) of the Mh Regn - 23(4) does not apply to this case at all. 23(6) fixes the maximum period of absence of the Vice Pres for one month & not 3 months.

Put up - if the case is ordered on account of absence without leave action seems to apply if no sanction seems called for, any how these seems to be no harm in according sanction.

Sd/-

Mr DS please revise draft - seems best to leave as it is & proceed.

Sd/-

NOTE—Continued sheet.

W D 6881 GPB—60,000—24 8-27

2c 4

App F III—2]

General and Revenue Secretariat | [File No 111 of 192]

Serial No

A reversed draft by us Sent

35 Ref order 15 q ex above
21/11/25 Mr Hanumappa Babu V Secretary
of the Karnataka is reported to be
negligent in his work & the Secy
(I/c) Mr. Cox presented at a meeting
specially called wanted that he should be
removed from the office of Vice Pres
Draft removing him is
put up for appl

5883/25/11

Joint Secy) Please submit this Law Secy
If Govt per law be further
of that he has vacated his
seat under Sec— of
a fresh election may be made
of a Vice President should Govt
the Election

Law Secy) 26/11 26/11

I think it desirable if
opportunity to say that he has
ceased to be a Vice President since
[illegible] that his office has become
vacant under Sec 25(b)(iii)

Law Secy 24/11

NOTE—Contd. sheet. 6063/25/11

Joint Secy) 24/11

Dy Secy 24/11

WD Offg. 4000—20-9-24 5-27

5

3

App. F III—2]

General and Revenue Secretariat — File No 111 of 192

Serial No

Later on it has been brought to my notice that there is some difficulty in applying either Sec 15 of Act 23(6) to the facts of the case

Sec 15(2) applies to the case of a Councillor who is not a President or Vice President.

Sec 23(6) applies to the case of a Vice President who is about soon to become ex-officio.

There is no evidence that he was about to become ex-officio.

Hence the Council seems to have acted under Sec 23(3)

It therefore appears that Govt may take action under Sec 23(3) & remove him

It may not be necessary to give any reason, for the condition prescribed in the section has been fulfilled

Yours Sincerely
with Compts

Asst Secy (Municipal)
Order accordingly

NOTE—Contd. sheet

WD 6324—GFR—60,000—24-5-27

General and Revenue Secretariat. | File No. 111 of 192

Serial No.	
	Draft Notification
	Law Dept
	Draft Notification Approved
686/25	Law Dept with the Consideration
	Draft Notification
	Issue the Law Dept
	Law Dept
Read 1/3	
13	Issued vide 4897-B dt 24/2/28 to the Dr Kadiri Venkata Reddy Director with Government Notification cessation shall be deemed to have vacated his seat
B 1/3	

NOTE—Contin. sheet

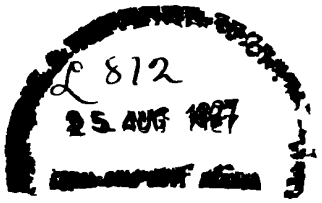
D.C.4]

No. A3-327-27

Enc. One file

OFFICE OF THE DEPUTY COMMISSIONER
KADUR DISTRICT

Dated Chikmagalur 22nd August *192*7



From

H V Ramaswami, Esq, M A ,B L ,
Deputy Commissioner,
Kadur District

To

R Ranga Rao, Esq, B A , B L ,
Secretary to the Government
of His Highness the Maharaja of Mysore
General Department, *Bangalore*

Md 111-27 —3

Sir,

I have the honour to forward herewith the file of correspondence ending with Kadur Town Municipal President's report No 14/27-28 dated 23rd July 1927, submitting for sanction a copy of the resolution of the Municipal Council dated 19th July 1927, in the matter of the removal from Office Mr Audi Honnappa Setty, the Vice-President of the Council, in view of his incapacity to discharge the duties properly

2 I sent for Mr Audi Honnappa Setty and advised him to resign under the circumstances, but he is averse to this step

3 I agree with the opinion of the Council and request that sanction of Government may kindly be obtained to remove Mr Audi Honnappa Setty from the office of the Vice-President and to elect a competent person from amongst the members

~~Submitted for orders~~

I have the honour to be,
Sir,
Your most obedient servant,

H V Ramaswami

Deputy Commissioner,
Kadur District

M L A

2

APP F VI Cl.]

SUBJECT..

Diary No. of letter replied to.

Section
File No 111-27
Serial No 1b

No. L. 4982

To The A.C. Haveri -

General and Revenue Secretariat
( )
the 192

Date of issue 1.12.27

Signed by

Sir,

With refce to your letter No A 3-327-27 of 28/8/27 regarding the removal of Mr Andr Honnappa Setty Vice President of the Haveri Town Mul. Cl. I am directed to enquire whether your refce to Mr Honnappa setty's report in the records of 8/6/27 where he complains that he recommended him for

List of enclosures.

Copied by

Examined by

over

WD 0562—GPB—31,000—17-8-25

the account for the removal
or transfer of a local
Saint Nanaty was not heeded to.
A report is to how far this
allegation is based on facts
should may be kindly made
after enquiry.

Further Reference is invited
to Sec^n 23 Subsec^n 8 of the Mad Rep^n
as amended by Reg^n VIII of 1927,
which requires that a resolution
for the removal of a Vice Pres^t
has to be passed by 3/4^th of the whole
number of Councillors of a M^l C^l
at a Sp^l meeting of the Council.
In the present Case this proportion
has not been secured.

Necessary action may be
taken in the
matter & the records returned

I have &c

(Illegible)
for Secy to Govt
Fin Dept

3

W D 504—GPB—1 000—23-9-22

D.C.4]

No. A 3-327-27 OFFICE OF THE DEPUTY COMMISSIONER,
KADUR DISTRICT

ENQ *Dated Chikmagalur* 14th October *1927*

18 OCT 1927
1743 L

FROM

H V Ramasvami, Esq , I A S
Deputy Commissioner
Kadur District

To

R Ranga Rao, Esq , B A , B L ,
Secretary to the Government of Mysore
General Department, *Bangalore*

Sir,

I have the honor to request that the file of correspondence ending with Kadur Town Municipal President's report No 14/27-28 dated 23-7-1927 re the removal from office of Mr Adi Honnappa the Vice-President of Kadur Minor Municipality forwarded to you with this office letter No A3-327-27 dated 22-8-1927, may kindly be caused to be returned as it has not been received with your letter No L 1952/M1 111-27-6 dated 1st October 1927

Section Mil
File No. 111 - 27
Serial No 7

No. of letter replied to

No L2427
& Records

and Revenue Secretariat
( )
192

To The Dc Kadur

issue 4/11/27

by

Sir,

I am directed to return herewith the records relating to the proposal for the removal of Mr Ad Hommappa Setty I vice Pres: Kadur Municipality, as desired in your letter No A 8-327-27 dt 14 10 27-

I have &c

for Secretary to Govt

ures

over

W[illegible]2 (PB—31 000—17 8 [illegible]

298055
27/12

No. A 3-327-27

Two

OFFICE OF THE DEPUTY COMMISSIONER
KADUR DISTRICT

Dated Chikmagalur 22nd Dec 1927

H V Ramaswami, Esq , M A , B L ,
Deputy Commissioner,
Kadur District

Ml 11-27-12

R Ranga Rao, Esq , B A , B L ,
Secretary to the Government
of His Highness the Maharaja of Mysore
General Department, *Bangalore*

Re - the removal of Mr Adi Honnappa Setty from the Vice Presidentship of the Kadur Municipality

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With reference to correspondence ending with your letter No L 2427/ 111-27-7, re the removal of Mr Adi Honnappa Setty from the Vice-sidentship of Kadur Municipality, I have the honor to state that the sident, Kadur Municipal Council, in his report No 342/ dated 30-11-27 tes that Mr Adi Honnappa Setty applied for 15 days leave on account of some private affairs with effect from 16-5-1927, and then applied for a further extension of leave by a month The subject was placed at the icipal meeting held on 29-6-1927, and the following resolution was recorded " In case Mr Honnappa Setty extends his leave, Mr Thimme may be elected as Vice-President to attend to the current duties ing Mr Honnappa Setty's absence " Since then, it is reported that further leave application was received from the gentleman

2. 12 Municipal meetings were held during this period (7 Special 5 General) and Mr Honnappa Setty attended only one meeting held 4-9-27, although the notices for all the meetings were duly served or , except the one held on 5-7-27 when a shara was made to the effect t he was on leave Section 23 (4) of Municipal Regulation lays dow

that except in the case of ex-officio President or Vice-Presid every President or Vice-President who, for a period exceeding 3 months shall absent himself from the Municipality in such manner as to be unable to perform his duties as such President or Vice-President shall cease to be President or Vice President, unless leave to so absent himself has been granted by the Municipal Council, in the case of an elected President or Vice-President. Moreover, the Council at their Special Meeting held on 29-11-27 have passed a resolution to the effect that he may be removed the Vice-Presidentship in view of his incapacity to discharge duties properly

3 ith regard to the complaint made by Mr Honnappa Se for the removal of the Local Sanitary Maistry, necessary enq were made and the official has since been transferred to Mud Municipality

4 With regard to the proportion of the number of Counc that voted for the removal of Mr Adi Honnappa Setty the Presi Kadur unicipality submits a copy of the resolution of the Council passed at a Special meeting held on 29-11-27 (herein enclosed) From this it will be seen that out of 15 members, 12 including the President (Amildar) were present and all have unanimously resol for the removal of Mr Honnappa Setty on the ground of incapacity to discharge the duties

5 I agree with the opinion of the Council and accordingly request that sanction of Government may kindly be obtained to elec a competent person from among the members as Vice-President, Mr Adi Honnappa Setty being considered to have vacated that place und the circumstances set forth above

I have the honour to be,

Sir,

Your most obedient serv

Deputy Commissioner,
Kadur District.

M L A

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Copy of the Special meeting of the municipal Council, Kadur, Convened on Tuesday the 29th November 1927

P K Narasamy Iyengar, Engineer, B A,
Amildar and President (in the chair)

Members - Present

1 Mr K Thimme Gowda Vice President
2 Mr Sampathkumarabhan Assistant Engineer
3 Mr T V Subbulow, Sub Assistant Engineer
4 Mr K Hanumanthaya
5 Mr L Somanna
6 Mr S Srikantaya
7 Mr B Mahyappa
8 Mr Neelakantaya
9 Mr Malak Ramaya Shetty
10 Mr Liddalamaya
11 Mr Mohaddenkhan

Absent -

1 Mr L Swamiow Assistant Inspector of Education
2 Mr Addy Hanumappa Shetty

Subject - Deputy Commissioners Memo No A 3-327-27 dated 12th October 1927 relating to the removal of Mr Addy Hanumappa Shetty from the Vice Presidentship of the Municipality.

Resolution:- Resolved that all the Non-official Members as well as official Members are dissatisfied with the work of Mr Hanumappa Shetty as Vice President of this Municipality in view of his incapacity to discharge his duties properly, and ~~Since~~ That he may be removed from the Vice Presidents office and that a Competent Vice Presid-

by election in the Council may be appointed in his place

Sd - P K Sivasamy Iyengar
President
29/11/27

Copy "

Sd/- @ Kadiri
the 30th November 1927

Kadiri Municipality

10

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read —

Correspondence ending with letter No A 3-327-27 dated the 22nd December 1927, from the Deputy Commissioner, Kadur District, bringing to the notice of Government, the absence of Mr Honnappa Setty, Vice President of the Kadur Municipal Council from a number of meetings of the Municipal Council and forwarding a resolution of the Municipal Council recommending the removal of the gentleman from Vice-Presidentship.

Order No.L. 4897-8/ml 111-27-13
Dated Bangalore, the 24th February 1928.

In the circumstances stated, Government are pleased to direct that Mr Honnappa Setty shall be deemed to have vacated his seat.

for General Secretary to Government.

To

The Deputy Commissioner, Kadur District.
" Comptroller to Government.

KMN3

ab 27/2/28 dd-L4897-8/ 11 June 1928

Proceedings of the Government of H H the Maharaja of Mysore.

R e a d -

Correspondence ending with letter No from Dc A 3-327-27 dated the 22nd December 1927, Kadur Distt bringing to the notice of Government, the absence of Mr Honnappa Setty, Vice President of the Kadur Municipal Council from a number of meetings of the Council and forwarding a resolution ~~from~~ of the Municipal Council recommending the removal of the gentleman from ~~th~~ Vice Presidentship

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ORDER NO L 4897-8

Dated, Bangalore, the ~~24~~ 25 Feb 1928

In the circumstances stated, Government are pleased to direct that Mr Honnappa Setty shall be deemed to have vacated his seat.

27/2 for Genl Secry to Govt.

To

The Deputy Commissioner, Kadur Dit
The Comptroller to Govt.

K M R 1
17/2.

28/2

12

Proceedings of the Government of H H
the Maharaja of Mysore

Read -

Correspondence ending with letter No A3 -327-27 dated 22nd December 1927 from the Dy Commr Kadur Dt requesting sanction for the election of a Vice-President as Mr Adi Honnappa Setty of the Kadur Municipal Council who was Vice President may be considered to have vacated his Office as Vice President in the circumstances explained

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ORDER NO L

Dated Bangalore, the January 1928

The Deputy Commissioner reports that Mr Adi honnappa Setty applied for 15 days leave on account of some private affairs with effect from 16th May 1927 and that he later applied for further extension of leave by a month It is also reported that no further leave application was received from the gentleman and that he attended only one meeting held on 4-9-1927 although the notices for all the 12 meetings held during this period were duly served on him except the one held on the 30th July 1927 when remark was made to the effect that he was on leave The Municipal Council have resolved ~~on the removal of~~ Mr Honnappa Setty from the Office of the Vice President and the resolution is supported by all of the Councillors who were present at the meeting of the Deputy

Comm ssioner t is clear t t r Honr pp
Setty ~~fxxxx~~ ause ted ~~r~~ nself from the meet
of the Council rd ~~has~~ reglected to perfor
his duties In these circums nces ~~t~~ Gov
are pleased to remove ~~under Sub Section (c) of Section 23 of the Mu. Regn~~ r Hon pp
Setty fro r is Office of Vice Presidert under
See 23(3) of the Mysore Mul Regn and
direct that a new Vice Presiden+ may be e -
ed ~~from~~ by the Municipal Council

22/1

for Gl Secry to Gov

Tp 21/1/23

The Dy Commr Kadur Dt